

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HILDA L. SOLIS,

Plaintiff,

No. C 12-0116 PJH

v.

**ORDER DENYING REQUEST FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION**

SEAFOOD PEDDLER OF SAN RAFAEL,
et al.,

Defendants.

Plaintiff Hilda Solis, Secretary of Labor, ("plaintiff") seeks leave to file a motion for reconsideration of the court's December 4, 2012 order regarding the scope of the informant's privilege in this case. The motion is DENIED.

Under Civil Local Rule 7-9, a party seeking leave to file a motion for reconsideration must specifically show

(1) That at the time of the motion for leave, a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order for which reconsideration is sought. The party also must show that in the exercise of reasonable diligence the party applying for reconsideration did not know such fact or law at the time of the interlocutory order; or

(2) The emergence of new material facts or a change of law occurring after the time of such order; or

(3) A manifest failure by the Court to consider material facts or dispositive legal arguments which were presented to the Court before such interlocutory order.


Civ. L.R. 7-9(b). In addition, the party seeking leave to file a motion for reconsideration may not repeat any argument previously made in support of or in opposition to the interlocutory order which the party seeks to have reconsidered. Id. 7-9(c).

Here, plaintiff argues that the court did "not consider the material facts in this case or

1 the applicable law presented to the Court in support of the application of the informant's
2 privilege." Specifically, plaintiff contends that the court did not consider plaintiff's
3 arguments regarding the potential harm to employee informants, or the arguments
4 regarding plaintiff's evidentiary burden. This argument is not persuasive. The court
5 considered the arguments raised by plaintiff, but reached a decision that was adverse to
6 plaintiff's position. Such circumstances do not warrant a motion for reconsideration.

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8 **IT IS SO ORDERED.**

9 Dated: January 8, 2013

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12 PHYLLIS J. HAMILTON
13 United States District Judge
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